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State Bar of Montana Nos. 42337024

Attorney for Defendant Roger Thompson

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA, BUTTE DIVISION**

MARTIN WALSH and DORA WALSH,)	
)	Case No.
Plaintiff,)	2:20-cv-00063-BU-JTJ
)	
v.)	DEFENDANT THOMPSON'S
)	MOTION FOR ATTORNEY
ROGER THOMPSON; MADISON)	FEES AND COSTS
COUNTY, MONTANA; and DOES 1-10,)	
)	
Defendants.)	
_____)	

COMES NOW Defendant Roger Thompson, by and through his counsel of record, Lawrence E. Henke of Vicevich Law, and moves this Court for an award of attorney fees and costs as the prevailing party in the 42 U.S.C. § 1983 claim which Plaintiffs brought against him, but were subsequently dismissed by the Court in an April 23, 2021 Order on Thompson's Motion to Dismiss. Doc. 34. Defendant Thompson brings this motion pursuant to 42 U.S.C. § 1988, which specifically provides for the award of attorney fees and costs to the prevailing party in an action

brought under 42 U.S.C. § 1983.

Filed concurrently with this Motion is a Brief in Support and the Affidavit of
Lawrence E. Henke.

DATED: May 7, 2021

/s/ Lawrence E. Henke
LAWRENCE E. HENKE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 7th day of May, 2021, a true and
correct copy of the foregoing document was served on all counsel by email through
the CM/ECF system to:

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/s/ Lawrence E. Henke
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